IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 99 OF 2006

Smt.Shantabai Harishchandra Jambhale. ...Applicant
V/s.
State of Maharashtra. ...Respondent

Ms.Pooja Bhojane for the Applicant.
Mr.R.Y. Mirza, APP for the State.

CORAM : V.M. KANADE, J.

DATED : JANUARY 30, 2006

P.C. :-

. Heard learned Counsel for the applicant and learned APP for the State.

. The applicant is arrested by Tilak Nagar Police Station for an offence punishable under Sections 302, 201, 419, 420, 177, 297 read with Section 34 of the IPC registered vide C.R. No.59/2005 for alleging committing the murder of her husband. The chargesheet has been filed.

2. It is alleged by the prosecution that there was quarrel between the applicant and the deceased and the applicant assaulted her husband. Then the deceased went out of the house and again returned back and went to

sleep. After sometime, when his wife tried to wake him up and he was found dead in his bed and thereafter, an attempt was made by the applicant to dispose of the body and when this attempt was not successful, the applicant cremated the body without obtaining the necessary death certificate. However, she was arrested and thereafter, the post mortem was performed on the dead body. The post mortem notes indicates that the deceased was suffering from at one stage of sclerosis. Apart from that the doctor who performed the post mortem was not in a position to give the cause of death. Since the chargesheet has already been filed and considering the fact that the cause of death is not disclosed by the doctor who performed the post mortem, in my view, the applicant is entitled to be released on bail.

2. The applicant be released on bail in the sum of Rs.5000/- with one or two sureties in the like amount in the aforesaid case. The applicant to report to Tilak Nagar Police Station once in a week.

. The application is allowed in the above terms.

(V.M. KANADE, J.)